GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Prohibition & Excise Department – Sri K.Ramadas Naik, Retired P&E Inspector involved in the liquor syndicate case of Y.S.R.Kadapa District – Implemented the orders dated 25.09.2019 in W.P.No.13493 of Hon'ble High Court – Sanctioned Pensionary benefits – Implemented the orders dated 15.02.2023 in W.P.No.2966 of 2023 filed by Sri K. Ramadas Naik, Retired P&E Inspector, for payment of interest on delayed pensionary benefits – Orders – Issued.

REVENUE (VIGILANCE-IV) DEPARTMENT

G.O.Rt.No.741 **Dated:14.08.2023**

Read the following:-

1. From the DG, ACB, Lr.Rc.No.66/RCO-TCD/2012, Dated:12-11-2012 (Cr.No.05/RCO-TCD/2012).
2. Govt. Memo.No.51903/VIG.V(2)/2012-1, dated:21-01-2013.
3. Orders dated.05.11.2019 of Hon'ble High Court in W.P.No.16234 of 2019 filed by Sri K.Ramdas Naik, Retd.P&E Inspector.
4. Contempt Case.No.890 of 2020 in WP No.16234 of 2019 fled by Sri K.Ramadas Naik, Retd., P&E Inspector.
5. G.O.Rt.No.162, Rev (Vig.III) Dept., dated:10.03.2022.
6. From Commissioner of Proh. & Excise Lr.Cr.No.6350/2019/CPE/C4, dated 09.02.2023.
7. Orders dated:15.02.2023 of Hon'ble High Court in W.P.No.2966 of 2023 filed by Sri K.Ramadas Naik, Retired P&E Inspector.
8. From Sri K.Ramadas, Retired P&E Inspector representation dated 20.03.2023.
9. From the Commissioner of Proh.& Excise Dept, AP, Vijayawada Lr. Cr.No.6350/2019/CPE/C4, dated:13.04.2023.

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ORDER:

Whereas, Sri K.Ramadas Naik, Retired P&E Inspector, while in service was involved in the Liquor Syndicate case of Y.S.R.Kadapa district along with other Prohibition and Excise officials and recommended his case to TDP by DG, ACB. After following due procedure, Government entrusted his case to TDP along with other P&E officials. Subsequently, he was retired from service on 31.07.2017. The TDP issued charge memo against him in TEC No.560/2013, dated 22.03.2019. Sri K.Ramadas Naik, Retired P&E Inspector filed W.P.No.16234/2019 before the Hon'ble High Court on the charge memo and for pensionary benefits. The Hon'ble High Court in it orders dated 05.11.2019 was quashed the charge memo and stated that the petitioner is entitled to all consequential pensionary and other retirement benefits. Further, Sri K.Ramadas Naik, Retired P&E Inspector fled Contempt Case No.890 of 2020 in W.P.No.16234 of 2019 before the Hon'ble High Court for not implementing the orders of Hon'ble High Court passed in W.P.No.16234 of 2019, dated 05.11.2019.

2. Whereas, in the reference 5th read above, the Government after examining the matter and in compliance and due respect to the orders dated 05.11.2019 of the Hon'ble High Court of A.P passed in W.P.No.16234 of 2019, sanctioned all the pensionary benefits such as Encashment of earned leave, full pension, Gratuity to Sri K.Ramadas Naik, Retired P&E Inspector subject to outcome of Writ Appeal to be fled. Subsequently, the Writ Appeal was filed, which was dismissed by the Hon'ble High Court.

3. Whereas in the reference 6th read above, the Commissioner of Prohibition & Excise has informed that Sri K.Ramadas Naik, Retired P&E Inspector has sanctioned pension and other pensionary benefits.

4. Whereas in the reference 7th read above, K.Ramadas Naik, Retired P&E Inspector has fled W.P.No.2966 of 2023 before the Hon'ble High Court for payment of 9% p.a. interest on delayed Retirement benefits in terms of the orders passed in W.A.No.383 of 2022, dated 12-7-2022.

5. And whereas, the Hon'ble High Court in its order dated 15.02.2023 in W.P.No.2966 of 2023 has passed orders directing the respondents to pay the retirement monetary benefits to be payable and along with interest @ 9% p.a. on the delayed retirement benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till the date of actual payments made to the petitioner, in terms of the judgment dated 12.07.2022 passed by the Division Bench of this Court in Writ Appeal No.383 of 2022.

6. And whereas in the reference 9th read above, the Commissioner of Prohibition & Excise, while enclosing a copy of the representation of Sri K.Ramadas Naik, Retired P&E Inspector, has requested the Government to take further necessary action for sanction of interest @ 9% on the delayed payments of pensionery benefits to avoid any further legal complication in the matter.

7. Government after careful examination of the matter, and keeping in view of the orders dated 15.02.2023 in W.P.No.2966 of 2023 filed by Sri K.Ramadas Naik, Retired P&E Inspector, have decided to implement the orders of Hon'ble High Court dated 15.02.2023 and to pay the interest @ 9% p.a. on the delayed pensionery benefits to Sri K.Ramadas Naik, Retired P&E Inspector.

8. Accordingly, Government hereby order to pay the interest @ 9% p.a. on the delayed pensionery benefits i.e., Full Pension, Gratuity, Encashment of Earned Leave, and Commutation of Pension, from the date of retirement to till date of actual payment made to Sri K.Ramadas Naik, Retired P&E Inspector.

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter, accordingly.

10. This order issues with concurrence of Finance (HR) Department vide their UO.No.FIN 01-HROMISC/59/2023-HRIII, dated:12.07.2023.

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri K.Ramadas Naik, Retd P&E Inspector through the Commissioner of Prohibition and Excise Department, AP, Vijayawada
The Commissioner of Prohibition and Excise Department, AP, Vijayawada
Copy to:
The Finance (HR-III) Department, A.P.Secretariat, Velagapudi.
The Accountant General, Andhra Pradesh, Vijayawada.
The Director of Treasuries and Accounts, AP, Vijayawada.
The Dy.Commr of P&E Dept., Kurnool.
The Dist. P&E Officer, Chittoor.
Sc/Sf

//FORWARDED::BY ORDER//

SECTION OFFICER